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UNCLAS SECTION 01 OF 05 DJIBOUTI 000240

SIPDIS

SENSITIVE

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DEPARTMENT OF HOMELAND SECURITY, DEPARTMENT OF LABOR,
DEPARTMENT OF TREASURY

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SUBJECT: DJIBOUTI - 2005 ANNUAL ANTI-TRAFFICKING IN PERSONS
REPORT

REF: 2004 SECSTATE 273089

1. (SBU) Summary: Djibouti is reportedly a country of transit and a country of destination for internationally trafficked persons. There is no evidence to suggest that Djibouti is a country of origin. The trafficking problem in Djibouti is vague and undocumented. Post would like to emphasize that there is a dearth of solid evidence and statistics to make a true case for Trafficking in Persons as a large problem for the Government of Djibouti. However, Djibouti has numerous children working as prostitutes, most of them economic migrants from neighboring countries. Unfortunately, it is difficult to determine exactly how many children are working as prostitutes. Some estimates place the total number of prostitutes in Djibouti to be between 500 and 600, a small portion believed to be under the age of 18. The Government does not see Trafficking in general as a problem and does not have laws in place to address the issue. Djibouti does have laws against prostitution and exploitation of a person's weakness or ignorance. However, these laws do not cover the full extent of Trafficking in Persons issues. Djibouti also lacks resources to sufficiently train its security forces to recognize trafficking, establish prevention programs, find and prosecute traffickers, and establish programs to protect victims of Trafficking. Post's sources for information included in this report are the Ministries of Justice, Labor, and Health, the Border Police, Interpol, the Police Vice Squad, and several local NGOs. End Summary.

Overview of Djibouti's Activities to Eliminate Trafficking
in Persons

A. According to information gathered by Post, Djibouti is not a country of origin for internationally trafficked persons. However, Djibouti is described as a country of transit and country of destination for trafficked persons. Reports from international and local non-Governmental Organizations indicate that Djibouti has a problem with child prostitution. These child prostitutes are mostly economic migrants or persons smuggled from Ethiopia and Somalia who resort to prostitution in order to provide for their families. There are also girls from poor Djiboutian families that use prostitution as a means of income. There is little evidence that any of the girls are smuggled into Djibouti specifically for child sex tourism. Insufficient or non-existent monitoring of migration and labor statistics makes it nearly impossible to determine whether trafficking occurs within the country's borders. A large number of youth from poverty-stricken interior districts migrate to the city to seek work. There is little evidence to suggest that these economic migrants become victims of trafficking. There are no areas in Djibouti that are outside the government's control. Due to the extreme dearth of accurate statistics in Djibouti, it is difficult to discern how many of the smuggled economic migrants become victims of trafficking, if any. It is also very difficult to determine the number of children working as prostitutes.

B. Sources at local and international NGOs indicate that persons trafficked into Djibouti, or persons who migrate to Djibouti and become victims of trafficking, come from Ethiopia, Somalia and the self-proclaimed independent Republic of Somaliland. The same sources, as well as Djibouti's Interpol Office, report that occasionally persons are trafficked to Arab countries, Somalia and Somaliland. The destination of many economic migrants, who become victims of trafficking through child prostitution, is Djibouti City and the Ethiopia-Djibouti trucking corridor.

C. Due to lack of statistics and/or monitoring of the trafficking situation, it is not possible to determine whether any changes in the direction or extent of trafficking has occurred.

1D. There are currently no government or independent efforts planned or underway to document the extent and nature of trafficking in Djibouti. There were no new reports or surveys made available during research for this year's report.

1E. In the respect that Djibouti is considered to have a small problem of trafficking in persons in the form of child prostitution, the conditions girls are trafficked into vary. Some prostitutes work out of the street, some in apartments or brothels, others are rumored to be house girls. Embassy's contact within the "Brigade des Meurs," the Police Vice Squad, estimated the total number of prostitutes in Djibouti to be between 500 and 600. Among those, he personally knew of around twenty girls that were under the age of 18. For the majority of street children that work as prostitutes, living conditions are miserable. Information from local NGOs indicates that there are some older street children that force younger children to work in prostitution in order to collect their earnings. It is generally understood that girls working as prostitutes can leave the profession if they desire, but few have other employment options. NGOs report that there is no known organized structure to prostitution, but individuals acting as pimps or protectors are frequently used to set up transactions. Street children working as prostitutes usually give portions of their revenues to an older child that acts as mentor/protector.

1F. There is no evidence to suggest that Djibouti is currently a country of origin for international trafficked persons. There was one case of several Djiboutian girls being taken to Syria in 1998 with false promises of employment.

1G. As there is little proof that a Trafficking in Persons problem exists in Djibouti, there is currently no political will to address, or combat, the issue. Few resources are devoted to training for security forces, prevention, protection, and prosecution of Trafficking in Persons. Research showed no evidence of government officials linked to TIP.

1H. There is no information to suggest that authorities or members of government forces facilitate or condone trafficking. Local NGOs suggested that some agents of the Border Police might receive bribes from smugglers. However, they did not believe that these bribes were connected to any TIP activities. However, there is no firm evidence of these allegations.

1I. The Government of Djibouti lacks resources in many areas to adequately address the problem of Trafficking in Persons. Sources at the Border Patrol indicate that there are gaps in monitoring of the borders in areas where there is not a Border Post. There is also a lack of funding for the Labor Inspector's Bureau, which consists of one Inspector and six Controllers. The current state of labor inspection makes it nearly impossible to accurately assess labor conditions throughout the country. Resources to adequately train government security forces on how to recognize Trafficking in Persons are also lacking. There is little to no capacity to provide government resources to aid the victims of trafficking.

1J. The government does not have specific efforts to counter trafficking in terms of prosecution, prevention, and victim protection. It therefore does not systematically monitor or publish any anti-trafficking efforts.

1K. Prostitution is illegal under the Penal Code of Djibouti, however there is a complicit tolerance of its existence. The prostitutes, brothel owners, clients, pimps and enforcers' activities are all criminalized. These laws are only enforced when the Police come across activities in the streets, rarely in cases of clubs, brothels or apartments that house prostitutes.

Prevention

1A. As the problem of trafficking is not very visible and no concrete statistics can be found, the government does not acknowledge that trafficking is a problem in Djibouti.

1B. There is no specialized agency within the Government for trafficking in persons, but Interpol and the Police Vice Squad would have primary responsibility.

1C. There have not been any recent government-run anti-trafficking public education campaigns.

1D. The Ministry of Women's affairs conducts programs to promote inclusion of women in politics and business. Micro-credit loans assist women in creating income-generating activities. The Ministry of Education is also in the process of implementing programs to keep children in school. The

compulsory age for schooling has been raised from 14 to 16. The Ministry is also beginning to implement programs to track the number of students that leave school, and their reasons for leaving, in efforts to combat this problem.

1E. The government does not currently have the resources to support prevention programs for Trafficking in Persons.

1F. There is little to no cooperation between government officials, NGOs and other organizations that deal with trafficking in persons. There are a few local NGOs that are devoted to caring for street children or educating adult prostitutes in other employment skills.

1G. According to the Border Patrol, the government can only adequately monitor its borders where an outpost exists. Areas without a checkpoint are not monitored at all. Neither Border Patrol or Immigration services monitors immigration and emigration patterns for evidence of trafficking. Immigrations services does, however, look for patterns of smuggling. The head of Border Police stated the Government has increased its border patrols to prevent potential terrorists from entering the country. However, he said they only receive general training for recognizing patterns of trafficking.

1H. No agencies in Djibouti exist to combat trafficking, nor is there a trafficking persons task force or public corruption task force.

1I. The Government does not participate in any working groups or efforts to combat trafficking.

1J. The Government does not have a national plan of action to address trafficking in persons.

1K. There is no entity or person responsible for developing anti-trafficking programs within the Government.

Investigation and Prosecution of Traffickers

1A. Djibouti does not have a specific law prohibiting trafficking in persons. The only law in the penal code that could possibly be used to prosecute a Trafficking in Persons crime is the "exploitation of the weakness and ignorance of persons."

1B. Exploitation of the weakness and ignorance of a person is punishable by a minimum of five years imprisonment. This is the only law that could cover either trafficking for sexual exploitation or labor exploitation.

1C. The penalty for rape is a minimum of five years imprisonment. The penalty for forcible sexual assault is considered a misdemeanor and has a maximum of five years imprisonment.

1D. Court officials indicated there were no recent prosecutions of traffickers.

1E. In terms of child prostitution, there are reports that indicate older street children force younger ones to work as prostitutes in order to collect their earnings. There are no reports of organized crime syndicates. Revenues from child prostitution are normally used for subsistence living. There are no reports that revenues from prostitution goes any further than the prostitute or their protector/pimp.

1F. The last international trafficking case to be investigated was in 1998, when several Djiboutian girls were trafficked into Syria under false promises of employment. The Government actively investigated this case, which resulted in the imprisonment of three individuals and the safe return of most of the victims. The investigation remains open, though the local Interpol office indicated that another girl was located in 2004. Interpol indicated that it does not use active investigative techniques, such as electronic surveillance, undercover operations, and mitigated punishment or immunity for cooperating suspects. However, Interpol stated that these techniques were not outlawed by Djiboutian law, there was merely inadequate resources to utilize such techniques.

1G. The Government does not provide any specialized training for government officials in how to recognize, investigate, and prosecute instances of trafficking.

1H. The Government does cooperate with other governments in the investigation and prosecution of trafficking cases through the Ministry of Foreign Affairs and Interpol. There is no information available on the number of recent cooperative investigations.

1I. Djiboutian nationals charged with Trafficking are not extradited and are prosecuted by national courts. It is

prohibited by law to extradite Djiboutian nationals. Foreigners are also prosecuted in national courts, but can be extradited to their country of origin if there is an extradition treaty with that country. There are no numbers available as to how many, if any, traffickers have been extradited. However, French soldiers accused of a crime, such as pedophilia, in Djibouti are extradited and tried in France in accordance with their extradition treaty. The Government of Djibouti does not plan to modify its laws to permit the extradition of its own nationals.

J. There is no evidence of government involvement in, or tolerance of, trafficking on a local or institutional level.

K. No government officials have been prosecuted for involvement in trafficking or trafficking-related corruption in recent years.

L. There is no evidence to suggest that child sex tourism exists in Djibouti, but a few cases of pedophilia have been reported. Court officials and Interpol stated a very small number of French soldiers were extradited after being charged with pedophilia.

M. Djibouti signed and ratified ILO convention 182 in June 21, 2004. ILO conventions 29 and 105 have also been ratified. Djibouti has not ratified the Optional protocol to the Convention on the rights of the Child on the sale of children, child prostitution, and child pornography or the Protocol to prevent, suppress and punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention Against Organized Transnational Crime. However, Djibouti has signed and ratified the African Charter of Human Rights.

Protection and Assistance to Victims

A. There is no special assistance available to victims of trafficking, they are treated the same as victims of any other crime. Due to budget constraints, victims get whatever care is available at the time. Local hospitals do not provide adequate medical care to patients in general, let alone specialized care for victims. Police stations are sometimes used for temporary shelters for victims of various crimes.

B. There is no Government funding or support for domestic NGOs that provide service to victims. All local NGOs must rely on their own resources or solicit funding from foreign donors.

C. There are no NGOs providing care specifically to trafficking victims.

D. Victims are usually treated with respect. However, if they are undocumented foreigners, they are deported to their country of origin. If victims are Djiboutian nationals, they are returned to their families. Minors under the age of 18 arrested for prostitution are charged with a misdemeanor crime; as opposed to the full criminal charge prostitution normally carries.

E. Victims of any crime are entitled to file a civil suit. They also have the right to attend and testify in court during the suspect's trial.

F. The Government does not have the means to provide full protection to victims, who are usually sheltered in police stations to wait for expedited court hearings.

G. The government does not provide any specialized training for government officials in trafficking recognition, or in the provision of assistance to trafficked victims.

H. The Government provided medical assistance to its repatriated nationals, who were victims in the Trafficking case in 1998. They were then returned to their families.

I. There are no international NGOs working in Djibouti specifically for trafficking victims.

2. (SBU) Post's point of contact for Trafficking in Persons is Erinn Reed, Political/Economic Officer. Contact information is email: reedec@state.gov, tel: 253-353995 ext 2305, fax: 253-353940. Pol/Econ Officer and Econ Assistant spent approximately 40 hours each in preparation of this report.